



McDonnell Boenhen Hulbert & Berghoff  
Law Offices

## Fax transmittal

To Box DAC  
Office of Petitions

Date December 3, 2002

Company USPTO

From Anthoula Pomrening

Fax 703-308-6916

Direct 312-935-2366

Phone

Email pomrening@mbhb.com

Pages, 7  
with cover

C/M 74/36

Re U.S. Application Serial No. 09/731,335

FAX RECEIVED

DEC 03 2002

PETITIONS OFFICE

Dear Sir:

On November 27, 2002, we filed the attached Petition to Revive Unintentionally Abandoned Application along with a check in the amount of \$1,280.00. We inadvertently cited the U.S. Application Serial Number to be 09/731,355, but the correct number is 09/731,335. Sorry for any inconvenience this may have caused. Please call me if you have any questions.

Sincerely,

Anthoula Pomrening

300 South Wacker Drive 312 913 0001 phone  
Chicago, Illinois 60606-6709 312 913 0002 fax  
www.mbhb.com

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F

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB00-150)

In application of:

Dale Thayer

Serial No.: 09/731,355

Filed: December 6, 2000

For: Off-Center Tomosynthesis

Examiner: Ho, Allen

Group Art Unit: 2882

Office of Petitions  
Box DAC  
Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

Dear Sir:

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DEC 03 2002

PETITIONS OFFICE

In regard to the above identified application,

1. We are transmitting herewith the attached:
  - a) Transmittal Letter in Duplicate;
  - b) Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b);
  - c) Copy of Request to Rescind Previous Nonpublication Request;
  - d) Check in the Amount of \$1,280.00; and
  - e) Return Receipt Postcard.
2. With respect to fees:
  - a) Check in the amount of \$1,280.00 is enclosed.
  - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Office of Petitions, Box DAC, Commissioner for Patents, Washington, D.C. 20231 on November 27, 2002.

Respectfully submitted,

Date: November 27, 2002



Anthoula Pomrening  
Registration No. 38,805

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB00-150)****In application of:****Dale Thayer****Serial No.: 09/731,355****Filed: December 6, 2000****For: Off-Center Tomosynthesis****Examiner: Ho, Allen****Group Art Unit: 2882**

Office of Petitions  
Box DAC  
Commissioner for Patents  
Washington, D.C. 20231

**FAX RECEIVED****DEC 03 2002****PETITIONER'S OFFICE****PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION  
UNDER 37 C.F.R. §1.137(b)****Dear Sir:**

Pursuant to 37 C.F.R. §1.137(b), Applicant respectfully petitions to revive the above-mentioned patent application due to unintentional abandonment. Applicant is promptly filing this petition after recently discovering that a Request to Rescind Previous Nonpublication Request was not timely filed.

A Request for Nonpublication was filed in this application on December 6, 2000. On December 5, 2001, a PCT application was filed claiming priority to this application. A Request to Rescind Previous Nonpublication Request, however, was not filed within 45 days of the filing of the PCT application. This oversight came to the undersigned's attention on November 26, 2002. The entire delay in filing the required Request to

Rescind Previous Nonpublication Request from its due date until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional.

Therefore, under 37 C.F.R. §1.137(b) and 35 U.S.C 122 (b)(2)(B)(iii), Applicant respectfully requests revival of the unintentionally abandoned application. A copy of the Request to Rescind Previous Nonpublication Request, which is being concurrently submitted to the Pre-Grant Publication Division, is enclosed herewith along with the requisite petition fee.

Date: 11/27/02

Respectfully submitted,

  
Anthoula Pomrening  
Reg. No. 38,805

MCDONNELL BOEHNEN,  
HULBERT & BERGHOFF  
300 South Wacker Drive  
Chicago, Illinois 60606  
(312) 913-0001

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PETITIONS OFFICE

**REQUEST TO RESCIND PREVIOUS  
NONPUBLICATION REQUEST  
35 U.S.C. 122(b)(2)(B)(ii)**

Application Number: 09/731,355

Filing Date: December 6, 2000

First Named Inventor: Dale Thayer

Title: Off-Center Tomosynthesis

Atty Docket Number: 00-150

I hereby rescind the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

## USPTO CUSTOMER NUMBER

**20306**

PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert &amp; Berghoff

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	Anthoula Pomrening
Reg. No.	38,805
Signature	<i>Anthoula Pomrening</i>
Date	November 27, 2002

**FAX RECEIVED**

**DEC 03 2002**

**PETITIONS OFFICE**

**Hon. Commissioner of  
Patents and Trademarks**

**S/N: 09/731,335**

**Atty: AP**

**Re: Applicant - Dale Thayer**

**MBHB Case No.: 00-150**

**OFF-CENTER TOMOSYNTHESIS**

**Sir:**

Please place the Patent Office receipt stamp hereon and mail to acknowledge receipt of:

- ☒ Transmittal Letter (in duplicate)
- ☒ Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b)
- ☒ Copy of Request to Rescind Previous Nonpublication Request
- ☒ Check in the Amount of \$1,280.00

**Fee Enclosed: \$ 1,280.00**

**Date Mailed: November 27, 2002**

Respectfully,  
**McDonnell Boenhen Hulbert & Berghoff**  
Attorney for Applicant



McDonnell Boehnen Hulbert & Berghoff  
Law Offices

300 South Wacker Drive  
Chicago, Illinois 60606-6709  
[www.mbhb.com](http://www.mbhb.com)

312 913 0001 phone  
312 913 0002 fax

control #  
40655

No 40655

VOUCHER #	INVOICE #	DATE	INVOICE AMT	DESCRIPTION	AMOUNT PAID
105370	74/36	11/27/2002	1,280.00		1280.00
<p>Vendor ID: AS1102      Vendor Name: Commissioner of Patents      Check Date: 11/27/2002      TOTAL CHECK: 1,280.00</p>					



McDonnell Boehnen Hulbert & Berghoff  
Law Offices  
300 South Wacker Drive  
Chicago, Illinois 60606-6709  
[www.mbhb.com](http://www.mbhb.com)

USBANK  
70-477-719

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PAY ONE THOUSAND TWO HUNDRED EIGHTY AND 00/100 Dollars

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TO THE  
ORDER  
OF

Commissioner of Patents

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PETITIONS OFFICE

*Michael Rumbold*

